

To: Chris Wion[chrisw@dhl.com]
From: Mark Koontz
Sent: Wed 3/17/2010 9:13:20 AM
Subject: Sesko
2010.03.15 Utility Easement (City's redlines).doc
2010.03.15 Sesko Settlement Agreement (City's redlines).doc

Chris,

Attached please find the most recent draft of the City's proposed settlement agreement and utility easement. Per your request, I have accepted all the redlined changes you proposed and then redlined the City's proposed changes. As you can see, the City has accepted the lion's share of your proposed changes to the settlement agreement, including the City's waiver of the interest on the judgment over the last two weeks. As for the easement, the City has also accepted most of your proposed changes. Most significantly, the City has agreed to permit the grantor to pave the easement area, as long as the city is provided use and access to the utilities. This is a major concession that I hope your client appreciates. The City maintains that the proposed description of the easement is appropriate. If you have proposed language for a description, the City would consider it.

-Mark

Mark E. Koontz
Assistant City Attorney
City of Bremerton
345 Sixth Street, Ste. 600
Bremerton, WA 98337
360-473-2345
mark.koontz@ci.bremerton.wa.us

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